WORKMAN NYDEGGER

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FAX (801) 328-1707

RECEIVED
GENTRAL FAX CENTER

JUL 0 1 2000

TELECOPIER COVER SHEET

July 1,2005

Total Number of Pages (including cover letter):

<u> 20</u>

Please deliver the transmitted facsimile pages to:

EXAMINER MICHAEL R. SHANNON

Business Phone

(571) 272-7356

Telecopier Phone:

(703) 872-9306

From:

Rick D. Nydegger

Comments:

Please see attached.

Docket No.:

14531.79

Serial No.:

09/779,869

We are transmitting from a Sharp FO-750 or Sharp FO-6100 facsimile machine. If you do not receive all the pages or they are unreadable, please contact me as soon as possible at (801) 533-9800.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

DMS0000009098V001

FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 14531.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		}
•	Steven M. Horowitz, et al.	į
Serial No.:	09/779,869) Art Unit) 2614
Filed:	February 8, 2001)
Conf. No.:	6689	į
For:	BACKGROUND ENABLED RECORDING IN A SET TOP BOX))
Examiner:	Michael R. Shannon	į
Customer No.:	047973	ý

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I hereby certify that this paper is being transmitted via facsimile at facsimile number (801) 328-1707 to the Patent and Trademark Office to phone no. (703) 872-9306 (Formal Fax No.) on the date shown below.

• Transmittal Letter (2 pages)

• Amendment "B" (16 pages)

Dated this day of July, 2005.

Respectfully submitted,

Registration No. 28,651

WORKMAN NYDEGGER Attorneys for Applicants Customer No. 047973

DMS0000009096V001

RICK D. NYDEGGER BRENT P. LORIMRR THOMAS R. VUKSONICK LARRY R. LAYCOCK JONATHAN W. RICHARDS DAVID R. WINGHT JOHN C. STRINGHAM JOHN M. GUTNN CHARLES L. ROBERTS DANA L. TANGREN ERIC'L MASCHOFF CHARLES J. VEVERKA ROBYN L. PHILLIPS RICHARD C. GILMORE * STERLING A. BRENNAN R. Burns Israelsen DAVID R. TODD DAVID B. DELLENBACH L DAVED GRIFFEN ADRIAN J. LEE PRASER D. ROY

CARL T. RELD

R. Parkish Preeman, Jr. Peter F. Malen, Jr. L. REX SEARS, PH.D. WILLIAM R. RICHTER EUC M. KAMERATH ROBERT E. AYOOCK JENS C. JENKINS KEVIN W. STINGER WILLIAM J. ATHUY MICHAEL B. DODD RYAN D. BENSON SARA D. JONES TIGE KELLER JANNA L. JENSEN MATTHEW D. TOOD I. LAVAR OLDHAM MICHAEL 1. FRODSHAM JOSEPH L. KRUPA BRETT A. HANSEN BRETT I. JOHNSON MATTHEW A. BARLOW WESLEY C. ROSANDER ANDREW S. HANSEN CHAD E. NYDEGGEA JOSEPH G. PIA CLINTON E. DUKE RYAN N. FARR * JAMES B. BELSHE Kirk R. Harris KEELY SCHNETTER MOCHAEL M. BALLARO DAVID A. JONES SHANE K. JENSEN JONATHAN M. BENNS, PHLD.

VENNON R. RICE 9 OF COUNSEL

Workman | Nydegger

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER **60 EAST SOUTH TEMPLE** SAL'F LAKE CITY, UTAIL 84111 TELEPHONE: (801) 533-9800 FAX: (801) 328-1707 WEBSITE: HTTP://www.wnlaw.cxim

RECEIVED GENTRAL FAX CENTER

FILED VIA FACSIMILE

JUL 0 1 2005 PATENT APPLICATION Docket No. 14531.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
•	Steven M. Horowitz, et al.)))Art Unit
Serial No.	February 8, 2001) 2614
Filed:	February 8, 2001	<u> </u>
Confirmation No.:	6689)
For:	BACKGROUND ENABLED RECORDING IN A SET TOP TOX)
Examiner:	Michael R. Shannon)
Mail Stop AMENDA Commissioner for Pa		

P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment for entry in the above-identified application.

No additional fee is required.

The fee has been calculated as follows.

		PRESENT RATE EXTRA	SMALL EN	TITY	LARGE ENTITY	
			RATE	ADDT'L FEE	RATE	ADDT'L FEE
Total = 10	21	= 0	X		X 50.00	0
Independent = 3	3	= 0	x		X 200.00	0
1" PRESEN DEPENDENT C		MULTIPLE	+=		+=	
			TOTAL		TOTAL	0

- The Commissioner is hereby authorized to charge payment of the X. following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. Triplicate copies of this sheet are attached.
 - Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - X Any patent application processing fees under 37 CFR 1.17.
 - Any fees for filing a terminal disclaimer under 37 CFR §§ 1.321(c) and 1.20(d).

Dated this ___ day of __.

Respectfully submitted,

RICK D. NYDEGUER 🛭

Registration No. 28,651

WORKMAN NYDEGGER Attorneys for Applicant Customer No. 047973

RDN:dmh DMS0000009097V001

RECEIVED CENTRAL FAX CENTER

JUL 0 1 2005

FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 14531.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
	Steven M. Horowitz, ét al.	
Serial No.:	09/779,869) Art Unit) 2614
Filed:	February 8, 2001)
Conf. No.:	6689	Ì
For:	BACKGROUND ENABLED RECORDING IN A SET TOP BOX) }
Examiner:	Michael R. Shannon)
Customer No.:	047973)

AMENDMENT "B"

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action of April 5, 2005 (paper no. 20050329), please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 13 of this paper.